

FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
FOI/PA# 1350127-0

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Date: 5/31/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL REGISTERED MAIL  
(Priority)~~ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED~~DATE 4/21/82 BY SP2AP/rlhTO: DIRECTOR, FBI (65-74060)  
Attention: INTD

FROM: SAC, MIAMI (65-3264) (P)

SUBJECT: DANIEL ELLSBERG;  
BURGLARY OF OFFICE OF  
DR. LEWIS J. FIELDING

CC TO:
REQ R-
FEB 28 1983
ANS.
BY:

ReBuairtel, 5/15/74, and Miami airtel, 5/23/74.

Enclosed for the Bureau are five copies of an LHM dated and captioned as above.

One copy of the LHM is furnished to Los Angeles, the office of origin.

This communication contains the complete contents of the INS file relating to [redacted] as obtained from INS, Miami, Florida.

Also included in the LHM is a collection of all the newspaper and periodical articles published locally by both English and Spanish language publications in the Miami, Florida, area regarding [redacted]

- ENCLOSURE
- 2-Bureau (Enc. 5) (RM) REC-49
- 1-Los Angeles (105-27952) (Enc. 1) (Info) (RM)
- 1-Miami
- WWS/al
- (4)
- 2-WSPF
- 1-706
- IST-111
- 65-74060-4737

photo

CC TO: <u>SP2A</u>
REQ. REC'D <u>2-17-83</u>
FEB 28 1983

ANS. [redacted]  
BY: SP2AApproved: [Signature]  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No. 65-3264

Miami, Florida  
May 31, 1974

b6  
b7c

RE: DANIEL ELLSBERG;  
BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING

REGARDING                     

also known as

BORN                     

HAVANA, Cuba  
P.R. GA  
Texas

Fla DC

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2TAP/hy

This document contains neither recommendations nor conclusions  
of the FBI. It is the property of the FBI and is loaned to your  
agency; it and its contents are not to be distributed outside  
your agency.

65-74060-4737

ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/28/74

[redacted] of  
"Diario Las Americas," the only Spanish daily newspaper in  
the Miami area published at 2900 N.W. 39th Street, Miami,  
Florida, advised that that newspaper did not maintain a  
morgue as such. The paper had no index or files grouped by  
individuals' names or subject matter concerning previously  
published articles.

b6  
b7C

The newspaper does maintain a library of past  
editions of the newspaper filed chronologically.

[redacted] advised that that newspaper had not  
done any special news article concerning EUGENIO R. MARTINEZ  
or [redacted] All their news articles in this connection  
had been based on wire service releases.

Interviewed on 5/23/74 at Miami, Florida File # Miami 65-3264  
by SA [redacted] al Date dictated 5/28/74

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 5/28/74

[redacted] Patria Newspaper, Inc., a Spanish language newspaper published weekly for the Miami, Florida, area at 717 Ponce de Leon Boulevard, Coral Gables, advised that that newspaper did not maintain a morgue as such. The paper had no index or files grouped by individuals' names or subject matter concerning previously published articles.

b6  
b7C

The newspaper does maintain a library of past editions of the newspaper filed chronologically.

[redacted] advised that the newspaper had not done any special news article concerning BERNARD J. BARKER, EUGENIO E. MARTINEZ, or [redacted]. All their news articles in this connection had been based on wire service releases.

Interviewed on 5/24/74 at Miami, Florida File # Miami 65-3264  
by SA [redacted] al Date dictated 5/28/74

FD-302 (Rev. 1-25-70)  
FEDERAL BUREAU OF INVESTIGATIONDate of transcription May 28, 1974

[redacted] "Miami Herald" and "Miami News" newspapers, the morning and evening daily newspapers published in Miami, Florida, at 1 Herald Plaza, advised that the morgue of that newspaper contained individual file folders by name and subject of all individuals who had been frequently mentioned in connection with the Watergate and related investigations.

b6  
b7C

Accordingly, he made available for copying the following articles which were prepared by the "Miami Herald" and the "Miami News" newspapers (exclusive of wire service releases) contained in the name file of [redacted]

Interviewed on 5/23/74 at Miami, Florida File # Miami 65-3264  
by SA [redacted] al Date dictated 5/28/74



(Mount Clipping in Space Below)

# Figure in Ellsberg case says here he knows a lot more

By LOUIS SALOME  
Miami News Politics Writer

Dade State Attorney Richard Gerstein believes that Felipe DeDiego, the Miamian who testified he broke into the office of Daniel Ellsberg's psychiatrist in 1971, has information about other "burglaries of a political nature."

Gerstein said yesterday, after DeDiego gave sworn testimony for the second straight day, that DeDiego, "has indicated that given immunity elsewhere such as in Washington and other places he will testify further about other things."

Those other things were "burglaries of a political nature" Gerstein said.

"I am certainly going to convey the information to the prosecutors in Washington to let them know Mr. DeDiego is anxious to talk and given immunity would talk.



FELIPE DeDIEGO

It would seem to be in the best interest of justice that he be given immunity. It would be of great interest to the American people," Gerstein said.

In his testimony yesterday,

DeDiego said he was working for a "new agency" for national security operating from the White House.

While DeDiego was giving his testimony, two FBI agents entered Gerstein's office where they met with Martin Dardis, Gerstein's chief investigator.

No one would comment on the meeting, but it appeared the FBI agents wanted to know what DeDiego was saying, without talking to him.

Reliable sources told The Miami News that the agents are interested in DeDiego's role and information on the Ellsberg break-in. It is also possible, however, they are interested in what DeDiego may have to say about other matters.

Gerstein said DeDiego had

(Indicate page, name of newspaper, city and state.)

1A

MIAMI NEWS

MIAMI, FLORIDA

Date: 5/12/73  
Edition:

said earlier he had been in touch with the FBI.

While DeDiego has been granted immunity from prosecution by the State of California relating to the Ellsberg case, he could be prosecuted in federal court, state attorney officials said.

They said a federal prosecutor could not use DeDiego's immunized statement specifically against him, but he is not immunized from prosecution in federal court in other areas. This means his statement could be used by federal officials to provide additional leads from which prosecution of DeDiego could result.

Gerstin said yesterday, "In a sworn statement, Mr. DeDiego said he was working for a new government agency working directly out of the White House under a man whose code name was Eduardo — that is Hunt."

"Eduardo" and "Hunt" are Ed Howard Hunt, a former CIA agent and former White House aide who is now in jail, convicted for his part in the Watergate burglary. Hunt had used the code name Eduardo in his CIA activities, going back to the Bay of Pigs invasion in 1961.

Gerstein said DeDiego clearly stated he was working for a "new agency," and not for the FBI or the CIA.

DeDiego testified Thursday that he, Bernard Barker, for whom he worked as a real estate agent, and Eugenio Martinez broke into the Beverly Hills, Calif. office of Dr. Lewis Fielding Ellsberg's psychiatrist, on Sept. 3, 1971.

DeDiego's only comment about yesterday's testimony was that he did not get involved in the break-in for money, either on the spot or on the promise of receiving some at a future date.

(Mount Clipping in Space Below)

# LUNCH WITH McCORD

## New Notoriety Has Left Him Out in the Cold as a Spy

By GENE MILLER

Herald Staff Writer

WASHINGTON — James W. McCord Jr., spy, burglar, witness, sipped his Budweiser at lunch Thursday, ordered the \$2.95 chef's salad, and said casually that he doesn't think John Mitchell will jump out a window.

"He'll talk," McCord said. "A guy at his age — he's got no place to go."

McCord is 49. He looks it, but up close, he is not the heavy he projects on the net-

works from the congressional chamber.

NOR IS he humorless.

"Do I get a toupee?" he asked his lawyer, Bernard Fensterwald, who informed McCord he will face the nation and a make-up man Sunday.

"Wear a blue shirt," instructed his counselor, who refers to his client as "the jailbird" when he dials McCord's home.

"I don't want you to be lulled into a false sense of se-

curity," Fensterwald explained.

THE FACT is that McCord is staring at a 45-year sentence — and apparently he is cooperating as fully as he can in quest of the mercy of the court.

In the privacy of his lawyer's sixth-floor office in the Christian Science Monitor Building here, where the men's room door is taped so it won't lock accidentally, McCord cooperated with still another law enforcement of-

ficial Thursday, Dade State Attorney Richard Gerstein. Gerstein was in town talking to Watergate figures. He would like nothing more than an honest-to-goodness Florida conspiracy prosecution.

McCord spoke Thursday of a plot to bug the Fountainebleau Hotel during the Democratic National Convention last summer.

"We had the blueprints," he said. "Liddy told Hunt and me that he had the maintenance and security at the Fountainebleau in his pocket

— and I took that to mean that he had them on the payroll."

THE SCHEME went awry when District of Columbia police caught McCord and Edward L. Barker and his Miami Cubans inside the Watergate on June 17, complicated further by their subsequent convictions with White House aides G. Gordon Liddy and E. Howard Hunt.

Barker is a resident of the federal prison at Danbury, Conn. McCord feels that

Barker, too, may be quite cooperative.

"I think he played a larger role than he has been given credit," McCord said.

The "highly compartmentalized" nature of the operation, he said, restricted everyone's knowledge.

MCCORD said, though, that he "heard" that John Caulfield, the former c.p. and John Mitchell, the former attorney general, talked about illegal strategies in March 1972 in Boca Raton,

Fla. And he also "heard" that Mitchell had similar discussions with Job Magruder at Key Biscayne in February 1972.

Martin Dardis, chief investigator for Gerstein, showed McCord some photographs. McCord identified — for the first time — Renaldo Pico and Felipe DeDiego as untaught prowlers at the Watergate in an earlier break-in during Memorial Day weekend, 1972.

His own two trips to Florida, he said, concerned "strictly security" business. This was before his recruitment as the unlawful "electronics man" through the Committee to Reelect the President.

To the TV camera crew outside, Gerstein spoke inconclusively of the burglary of the Chilean embassy, the burglary of the office of a lawyer for the Vietnam Veterans Against the War in Gainesville and the burglary of his own office — all unsolved.

AT LUNCH with his lawyers, in the basement Falstaff Room of the Sheraton Hotel, McCord acknowledged his instant celebrity status. He's on the cover of Newsweek this week.

"Public Enemy No. 1" deadpanned the ex-F agent.

As a CIA spy, he has it. Even the bell captain sidled to the table to tell a mi out.

(Indicate page, name of newspaper, city and state.)

2D

MIAMI HERALD

MIAMI, FLORIDA

Date: 6/1/73  
Edition:

McCord had but one concern: Was the man law enforcement or press? Law enforcement he accommodates. He receives substantial fan mail — "98 per cent favorable."

"AND WE didn't drum that up," he added, in not-so-oblique reference to the CREP's phony mail campaigns.

"Ultimately," he intends to write a book. Publishers beseech him.

But thus far, Fensterwald said, "they're too cheap."

The crucial specter that obviously haunts McCord, though, is prison. Will he go?

"I DON'T have the slightest idea," said McCord, free on \$100,000 bail.

Federal Judge John Sirica set sentencing for June 15. Fensterwald hopes for a postponement. Because of President Nixon's May 22 admissions of a White House coverup, Fensterwald hopes also for a new trial.

"You win some and you lose some," Fensterwald said, as his partner, William G. Ohlhauser, cringed. "You don't tell a client that."

The client blinked. He made no attempt to pay for lunch with a \$100 bill.

(Mount Clipping in Space Below)

# Watergate panel subpenas DeDiego

By LOUIS SALONE

Miami News Politics Writer

Investigators for the Senate Watergate Committee have subpoenaed Felipe DeDiego, a Miamian who has admitted taking part in the break-in at the office of Daniel Ellsberg's psychiatrist. They hope to get information about other politically-inspired burglaries.

Two Watergate investigators Saturday in Miami also subpoenaed the records of Avanti Press of Hialeah to determine if indicted political suboteur Donald H. Segretti had political propaganda printed at the plant during last year's presidential campaign.

DeDiego was given the subpoena Saturday night after being questioned in State Attorney Richard Gerstein's office for more than four hours by Watergate investigators R. Scott Armstrong and Mike Hershman.

DeDiego showed a subpoena calling for him to appear in Washington at 1 p.m. June 18. He said, however, the investigators told him the subpoena could be withdrawn before his scheduled appearance.

Before DeDiego emerged from behind closed doors, Jose Arriola Sr. and his son, Jose Arriola Jr., operators of Avanti Press, walked out of Gerstein's office after a couple of hours of on-and-off questioning by investigators. They said the investigators subpoenaed their company's records for the Watergate committee.

Four telephone calls are known to have been made from Segretti's telephone to the office phone at Avanti Press. Segretti has been indicted on charges of authorizing a phony letter smearing three Democratic candidates in last year's Florida presidential primary.

But the Arriolas, father and son, said they had no records of any contact with Segretti, and, they said, they did not know him. They also said they did not print any political propaganda for Segretti.

Both Arriolas said a letter would be sent to the Senate committee, stating officially that they have no records of having done work for anyone named Segretti.

The two investigators also questioned, although very briefly, Reinaldo Pico in addition to DeDiego and the Arriolas. Pico, DeDiego and eight other Cuban exiles from Miami went to Washington in May, 1972, to disrupt anti-war demonstrations at funeral services for J. Edgar Hoover.

DeDiego, Pico and Jose Arriola Sr. were subpoenaed Friday by Gerstein and ordered

to appear at his office at 11 a.m. Saturday. Gerstein said he issued his subpoenas

merely to accommodate the investigators.

The three men did not know they were going to talk to federal Watergate investigators until they arrived at Gerstein's office Saturday morning.

Neither Armstrong nor Hershman would comment on exactly what they were after. But it appeared they wanted Pico and DeDiego to talk about other politically inspired spying, sabotage and burglar activities they may know about besides the Watergate and Ellsberg cases.

It appeared also that neither Pico nor DeDiego wants to talk without being given immunity from prosecution or at least a guarantee that any additional information they give won't go beyond the Senate committee, although DeDiego still insists he knows nothing else.

Gerstein's office believes that DeDiego has information about the break-in at the Chilean Embassy in May, 1972, but DeDiego says he doesn't.

The Senate Watergate Committee is officially called the Senate Select Committee on Presidential Campaign Activities. The appearance of the two investigators here indicate that the committee is pushing aggressively beyond Watergate itself and into other areas of political espionage and sabotage, such as the Segretti case and the Chilean Embassy break-in.

(Indicate page, name of newspaper, city and state.)

5A

MIAMI NEWS

MIAMI, FLORIDA

6/11/73

Date:

Edition:

Author:

DeDiego went behind closed doors for questioning at about 2:30 p.m. Saturday. He did not leave with his fresh subpoena until 7:10 p.m.

During a brief break in his

questioning, DeDiego told a reporter he was being asked about his "background, from the beginning." "It's like tell me your life," he said.

When DeDiego emerged for good, he showed the new subpoena and said the investigators asked him "about the Chilean situation."

He told a reporter, "I told them (the investigators) I don't know anything about Chile." Beyond that, DeDiego would say nothing except that he was quizzed heavily about his background.

Reliable sources told The Miami News that federal officials would try now to determine if any further testimony by Pico and DeDiego on other matters could be limited in its use to the Senate committee. In other words, they want to find out if Pico and DeDiego can be given immunity on hitherto unrevealed matters.

Pico, along with a lawyer, Luis Salas, was called for questioning at about 11:20 a.m. Saturday. He left at about 12:15 p.m.

Salas said Pico was asked about his background. He said that the question of immunity was discussed but that immunity was not given and that no decision was made about it.

He said that Pico was not subpoenaed to appear in Washington and that he did not know if Pico would be subpoenaed.

Judging from Pico's brief quizzing, it appeared he refused to answer any questions of substance about Watergate-related matters.

Jose Arriola Sr., who appeared at Gerstein's office with his wife, Lucretia, went in for questioning at about 12:45 p.m. Saturday.

He emerged at about 2:25 p.m. and said nothing, except that he was going out for lunch and would return with his son.

The Arriolas returned at about 3:10 p.m., and an hour later Jose Arriola and his son went back in for questioning.

When they emerged a short time later, the Arriolas showed a subpoena, which asked that any "materials or documents" or anything else they have relating to the 1972 presidential campaign be sent to investigator Hershman.

The subpoena said, "including but not limited to the events involving the break-in and the election surveillance at the Democratic National Committee headquarters at the Watergate and related events prior and subsequent thereto and all political literature purchased

by Donald Segretti or A. K. Donaldson."

Asked about the calls from Segretti, Jose Arriola Jr. said, "We get so many calls in one day but I doubt it very seriously that he called. For a fact, we know we didn't do any work for Segretti. I know for a fact that no one by that name ever talked to us (him or his father)."

But both Arriolas said they were friendly with convicted Watergate burglar Bernard Barker. The elder Arriola said of real estate man Barker, "We made a brochure for him for a condominium."

It could be, the Arriolas said, that Segretti called Barker while he was at the office of Avanti Press. That's anybody's guess, the Arriolas said.

The younger Arriola said the company does not do any political work even locally because it is nonunion. "As far as we're concerned, we never talked to Segretti or anyone with a name close to that or about any political work," the younger Arriola said.

(Mount Clipping in Space Below)

# DeDiego balks at Cox request for testimony

SEP 12 1973

By LOUIS SALOME

Miami News, Politics Writer

The attorney for Miami Felipe DeDiego said the office of special Watergate prosecutor Archibald Cox has asked DeDiego to testify before the Watergate grand jury in Washington.

But at this point, attorney Dana Brigham said, federal prosecutors have not offered DeDiego immunity. "Unless he (DeDiego) gets immunity, he's not going to testify," said Brigham.

Brigham said it is still possible Cox' office would grant immunity if DeDiego agreed to be a witness for the state.

There have been reports recently that DeDiego, a rector, will be indicted in a week or two by the Watergate grand jury on federal charges stemming from his admitted participation in the 1971 break-in at the Los Angeles office of Daniel Ellsberg's psychiatrist.

The Watergate grand jury reportedly will also indict convicted Watergate burglars Bernard Barker and Eugenio Martinez also of Miami's Cuban community, for their alleged role in the break-in of Ellsberg's psychiatrist's office.

DeDiego has testified under a grant of immunity before a Los Angeles County grand jury about his partici-

pation in the psychiatrist's office break-in. Los Angeles authorities said, yesterday they will not prosecute him.

The same grand jury last week indicted former high-ranking White House aide John Ehrlichman and three other persons in connection with the Ellsberg break-in.

DeDiego testified earlier this year before the original grand jury in Washington, which was investigating Watergate before Cox was assigned the job and, before a new special jury was impaneled.

He reportedly had received immunity from that jury also.

as DeDiego testified on various matters relating to Watergate and other Cuban exile activity of a political nature.

Brigham said, "He (DeDiego) is not afraid of anything. He's been there once. He told his story to Silbert (Assistant U.S. Attorney Earl Silbert, one of the original Watergate prosecutors). I mean, why keep beating a dead horse and chasing him?"

Brigham said he has not received any indication from Cox's office that DeDiego may be indicted.

"My advice to DeDiego is it would profit him nothing to go before the grand jury if they plan to indict him. They haven't made clear their intent. It doesn't make sense for them to say, 'you do us all the favors and we'll do none for you,'" Brigham said.

Brigham said he communicated with the prosecutors here by telephone and by letter a number of times. "Their interest seemed more of a general witchhunt and an attempt to make scapegoats here," Brigham said.

He said the prosecutors talked in general, but they did show interest in finding out more about the May, 1972, break-in at the Chilean Embassy in Washington.

MIAMI NEWS

Date: 9-12-73

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated



(Mount Clipping in Space Below)

## DeDiego to use immunity pledge in Ellsberg case

By BARBARA MALONE  
*Staff Writer*

Felipe DeDiego, who was indicted in the break-in of Daniel Ellsberg's psychiatrist's office, will attempt to have those charges dismissed on grounds that he was granted immunity in Miami by Dade State Attorney Richard Gerstein.

DeDiego's attorney, Henry Rothblatt, said from his New York office yesterday he would file a motion to dismiss the charges.

On March 7, a federal grand jury in Washington handed down six indictments in connection with the Ellsberg psychiatrist office burglary. DeDiego, a Miami resident, was named in one of them.

Gerstein granted DeDiego immunity May 10 of last year in exchange for DeDiego's testimony on the Beverly Hills, Calif., burglary which took place in September, 1971.

Gerstein questioned DeDiego here at the request of Los Angeles District Attorney Joseph Busch who was then investigating the burglary of the psychiatrist's office. Busch also immunized DeDiego.

According to Rothblatt, once a defendant has been granted immunity from prosecution in one jurisdiction, the immunity stays with him in both state and federal courts.

That has been the law of

the land for the past seven years, Rothblatt said, adding that two Supreme Court decisions stood for that proposition.

During his testimony, DeDiego told Gerstein how he and two other Watergate burglars from Miami traveled to Los Angeles under assumed names and broke into the office of Dr. Lewis Fielding.

DeDiego testified his accomplices were Miamians Bernard Barker and Eugenio Martinez. Investigators learned from other sources that E. Howard Hunt and G. Gordon Liddy were alleged to have been outside the office talking to the burglars by walkie-talkie.

Indicted along with DeDiego recently were Barker, Martinez, Liddy and former presidential aides John Ehrlichman and Charles Colson.

The attorney added he believes the office of Special Prosecutor Leon Jaworski is already aware of the immunity granted here.

Rothblatt said he did not believe it would be necessary to subpoena Gerstein in making the defense motion to dismiss, because he did not anticipate a dispute over the facts.

Rothblatt said he is awaiting a transcript of grand jury minutes before filing his motion to dismiss which he said he hoped to do as soon as possible.

(Indicate page, name of newspaper, city and state.)

8A

MIAMI NEWS

Date: 3-19-74

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office

☐ Being Investigated



(Mount Clipping in Space Below)

# Miamian Wants APR 12 1974 Separate Trial

MARIAN WASHINGTON BUREAU

WASHINGTON — A defendant in the Daniel Ellsberg burglary case argued that he could not get a fair trial in the same courtroom with former White House aide John Ehrlichman.

Lawyers for Elise de Diego, Cuban exile now living in Miami, made that argument in urging U.S. District Judge Gerhard Gesell to have Ehrlichman tried separately from the other White House "plumbers" defendants.

ST  
EHRlichman, De Diego, former presidential assistant Charles Colson, and three others have been indicted for the 1971 burglary of the office of Ellsberg's psychiatrist, Dr. Lewis Fielding of Los Angeles.

Stephan Peskin of New York, De Diego's attorney, told Gesell that the glare of

Watergate publicity had made Ehrlichman so controversial that once a jury is "able to link De Diego to Ehrlichman, then his right to a fair trial is threatened."

The judge did not rule, but indicated that he might separate part of the charges against Ehrlichman for different reasons.

All six of the "plumbers" defendants are charged with conspiracy to violate the civil rights of Dr. Fielding by breaking into his office. Ehrlichman is also charged with lying to the FBI once and committing perjury before a grand jury three times in connection with the burglary.

GESELL HINTED he thought it might be improper to allow "all those other defendants who are only charged with conspiracy to sit there and let it (testimony about Ehrlichman's alleged lying) rub off on them."

(Indicate page, name of newspaper, city and state.)

ST

MIAMI HERALD

Date: 4-12-74

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office

☐ Being Investigated

44

(Mount Clipping in Space Below)

## Charge dismissed against De Diego

Combined Miami News Services

The charge against Felipe De Diego of Miami, one of six men indicted last March in connection with the burglary of offices of Daniel Ellsberg's psychiatrist, was dismissed yesterday by District Court Judge Gerhard Gesell in Washington.

The judge said De Diego had been granted immunity from prosecution while appearing before the Dade County Grand Jury and had been promised the information he disclosed would not be used against him.

De Diego has admitted he participated in the break-in of the Beverly Hills, Calif., offices of Dr. Lewis Fielding in September, 1971.

Dade State Attorney Richard Gerstein gave De Diego immunity May 10 so information could be obtained against other persons now accused in connection with the break-in. The immunity was also granted by California officials.

De Diego was indicted in Washington in connection with the burglary but his lawyer, Henry Rothblatt, said when a person had been granted immunity in one jurisdiction that immunity stays with him in both state and federal courts. Judge Gesell today agreed and dropped the charges against De Diego.

Gesell said there was no practical way in which the prosecution could prove that none of its case against De Diego was based on information he gave under the cloak of immunity.

(Indicate page, name of newspaper, city and state.)

8-A

MIAMI NEWS

MIAMI, FLA.

Date: 5/22/74

(Mount Clipping in Space Below)

## De Diego: Would Be Proud to Do It Again

By FRANK GREVE  
Herald Staff Writer

Felipe De Diego, one of a handful of men to have won immunity from Watergate prosecution, hasn't had it with clandestine politics.

"What I did was done because I was told I was helping national security," the Miami Realtor said Wednesday from the office of his lawyer. "And I'd be proud to do that job anytime."

"I might be involved in the cause of Cuban freedom gain," he said.

De Diego, 45, looking relaxed and cheerful, also said his business had improved

"because of the publicity," since his code name was found in Watergate burglar Bernard Barker's address book shortly after the June 1972 break-in. He owns Realco Realty at 2731 Coral Way.

U.S. District Judge, Gerhard A. Gesell dropped the lone conspiracy charge against De Diego Tuesday. Though prosecutors said they had independent information connecting him to the break-in at the office of Daniel Ellsberg's psychiatrist, De Diego had twice been granted immunity for testimony relating to the case.

(Indicate page, name of newspaper, city and state.)

34-A

MIAMI HERALD

MIAMI, FLA.

Date: 5/23/74

Special Prosecution Force  
U. S. Department of Justice

Director, FBI

1 - Mr. R. E. Gebhardt  
1 - Mr. W. R. Wannall  
June 11, 1974

BY COURIER SERVICE

1 -

b6  
b7C

UNITED STATES v. JOHN D. EHRLICHMAN, ET AL.,  
UNITED STATES DISTRICT COURT, WASHINGTON, D. C.,  
CRIMINAL NO. 74-116

Reference is made to your memorandum dated May 2, 1974, wherein it was requested, in part, that this Bureau obtain copies of English and Spanish language newspapers and periodicals published from 1960 to the present in the Miami area relating to Bernard L. Barker.

Enclosed for your information are two copies of a memorandum dated May 31, 1974, prepared at Miami, Florida, in compliance with above request.

Enclosures - 2

WVH:mjg  
(6)

NOTE:

Above is in compliance with WSPF memorandum to Director dated 5/2/74.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2TAP/ly

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir. \_\_\_\_\_  
Admin. \_\_\_\_\_  
Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Files & Com. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
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Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

BY COURIER DVO  
JUN 11 P.M.  
FBI

FSP/SSM  
REC-49  
157-111

65-74060-4738

3 JUN 12 1974

54 JUN 17 1974

MAIL ROOM ☒ TELETYPE UNIT ☐

Mr. James A. Wilderotter  
Associate Deputy Attorney General

b6  
b7c

NOTE:

Reference is made to memoranda Wannall to [redacted] dated 5/31/74 and [redacted] dated 6/10/74. By letter dated 5/24/74, Wilderotter advised that House Judiciary Committee had requested copies of two FBI memoranda and Wilderotter further advised that we might wish to explain the context in which these memoranda were issued. Director's approval was obtained for Inspection Division to interview present and former Bureau personnel involved in the preparation and approval of these memoranda. Inspection Division has completed its inquiries and [redacted] has advised that copies of the FD-302s should be forwarded to Wilderotter for his information and that the latter should contain no conclusions on the part of this Bureau. [redacted] further advised that this information should also be made available to the Special Prosecutor.

F B I

Date:

6/3/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL

(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (44-991) (P)

JOHN D. EHRLICHMAN,  
ET AL  
CIVIL RIGHTS-CONSPIRACY  
FALSE DECLARATIONS  
ESP  
(OO:WFO)Enclosed for the Bureau are the original and  
six copies of an LHM dated and captioned as above.ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 4/21/82 BY SP8AP/abj

REC-16

EX-110

JUN 14 1974

b6  
b7c② Bureau (Enc. 7)  
1- WFOAJL:jrm  
(3)

Approved: \_\_\_\_\_

Special Agent in Charge

Sent \_\_\_\_\_

M

Per \_\_\_\_\_

Added to WSPF  
6/6/74 WWH/mje2- WSPF  
ENCLOSURE5-  
6-  
OK





UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No.

Washington, D.C.  
June 4, 1974

JOHN D. EHRLICHMAN  
EUGENIO MARTINEZ;  
BERNARD L. BARKER  
GEORGE GORDON LIDDY  
CIVIL RIGHTS-CONSPIRACY

b6  
b7C

On May 16, 1974, Assistant Watergate Special Prosecutor Nathaniel Akerman requested the Federal Bureau of Investigation to determine the location of the banking facility utilized by [redacted] in Miami, Florida during the period August, 1971 through September, 1971. Once the facility was identified the FBI was requested to contact banking officials in an effort to examine these records for the requested information. Mr. Akerman advised there was no present need to take charge of any records, but merely to determine if such records exist.

Mr. Akerman further requested that the banking records of Bernard L. Barker at the First National Bank of Miami, Miami, Florida, and the banking account of Eugenio Martinez, be examined for the same time period.

On May 23, 1974, [redacted] First National Bank of Miami, 100 South Biscayne, Boulevard, Miami, Florida, made available copies of Bank statements, checks and deposit slips pertaining to active account number [redacted] for period August and September, 1971, which copies were produced from microfilm records.

This account is under the name of Bernard L. and [redacted] Barker, 5229 Northwest Fourth Street, Miami. Bank statements reflect balances of \$2,262.23 as of August 2, 1971 and \$3,708.77 as of September 30, 1971.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 4/21/82 BY SP-100/ab

65-74060-4749

ENCLOSURE

JOHN D. EHRLICHMAN  
EUGENIO MARTINEZ;  
BERNARD L. BARKER  
GEORGE GORDON LIDDY  
CIVIL RIGHTS-CONSPIRACY

b6  
b7C

Deposits and other credit items appearing on bank statements for pertinent period consist of 12 deposits which include, \$1,900.00, \$1,400.00 and \$1,300.00 made on August 24, 1971, September 2, 1971, and September 9, 1971, respectively. Checks and other debit items recorded on bank statements for pertinent period appear to be normal joint account household disbursements with possible exception of one item consisting of check number [redacted] in amount of \$1,900.00, dated August 5, 1971, payable to [redacted] Attorney, and signed B.L. Barker. This check bears the handwritten endorsement "For Deposit Only, in Trust Account of [redacted] Sale, Leshnick-Barker." It also bears the stamped endorsement, "For Deposit Only, [redacted] Trust Number [redacted]" The check also bears the stamped bank endorsement of Mercantile National Bank of Miami Beach, Miami Beach, Florida.

Regarding the account of Eugenio Martinez, on May 24, 1974, [redacted] Jefferson National Bank of Miami Beach, Miami Beach, Florida, advised a representative of the FBI that the records show a checking account under the name of Eugenio Rolando Martinez [redacted] care of Barker Association, Incorporated, 2301 N.W., 7th Street, Miami, Florida, was opened on August 30, 1968 and remained active until June 13, 1972.

[redacted] said the bank records pertaining to this account (number [redacted]) are maintained on micro-film which is stored in Flora, Mississippi. [redacted] advised he has requested the records for the pertinent period and will make them available for review by the FBI.

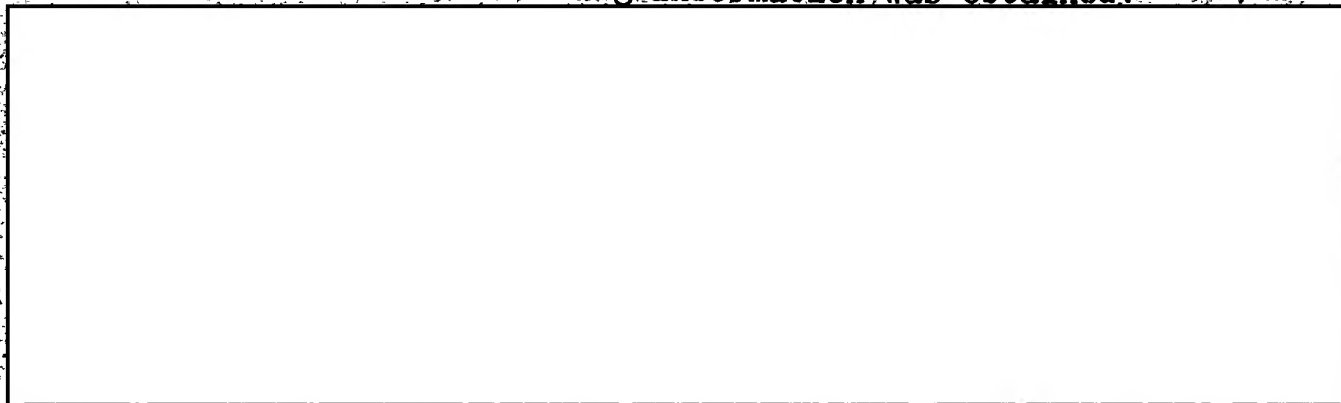
In view of the fact that the Indictment against [redacted] was dismissed, no review of his bank account has been conducted.



JOHN D. EHRLICHMAN  
EUGENIO MARTINEZ;  
BERNARD L. BARKER  
GEORGE GORDON LIDDY  
CIVIL RIGHTS-CONSPIRACY

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b7C

On May 30, 1974, the records of the Jefferson National Bank, of Miami Beach, Florida, regarding Martinez were reviewed and the following information was obtained:



Additional efforts are still underway to determine whether or not deposits in the Barker and Martinez accounts were in cash or by check.

1 - Mr. R. E. Gebhardt  
1 - Mr. W. R. Wannall  
1 - [redacted]

b6  
b7c

June 6, 1974

BY COURIER SERVICE

Special Prosecution Force  
U. S. Department of Justice  
Director, FBI

REC-16 65-74060-4749

UNITED STATES v. JOHN D. EHRLICHMAN, ET AL.,  
UNITED STATES DISTRICT COURT, WASHINGTON, D. C.,  
CRIMINAL ACTION NO. 74-116

Reference is made to request of Mr. Nathaniel Akerman of your office on May 16, 1974, to locate and examine bank records of defendants Bernard L. Barker and Eugenio Martinez.

Enclosed herewith are two copies of a memorandum prepared at Washington, D. C., dated June 4, 1974, in response to Mr. Akerman's request.

Enclosures - 2

WWH:mjg  
(6)

NOTE:

Above is in response to request of Mr. Akerman, WSPF, which he made orally to WFO on 5/16/74.

SENT FROM D. O.  
TIME 2:57  
DATE 6-6-74  
BY [signature]

ALL INFORMATION CONTAINED

DATE 12/1/82 BY SP8M/SP4TH/1 AJD/FSP

- Assoc. Dir.
- Dep. AD Adm.
- Dep. AD Inv.
- Asst. Dir.:
- Admin.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
- Ident.
- Inspection
- Intell.
- Laboratory
- Plan. & Eval.
- Spec. Inv.
- Training
- Legal Coun.
- Telephone Rm.
- Director Sec'y

56 JUN 21 1974

MAIL ROOM [ ] TELETYPE UNIT [ ]

65-74060

F B I

Date: 5/15/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL \_\_\_\_\_  
(Priority)

Assoc. Dir.	_____
Dep.-A.D. Adm.	_____
Dep.-A.D. Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

TO: DIRECTOR, FBI

FROM: SAC, WFO (44-991) (P)

JOHN D. EHRLICHMAN:

GEORGE GORDON LIDDY, aka;  
BERNARD L. BARKER, aka;

EUGENIO ROLANDO MARTINEZ, aka;  
CIVIL RIGHTS - CONSPIRACY;  
FALSE DECLARATIONS;  
ESP

~~(ACCOUNTING AND FRAUD SECTION -  
WATERGATE UNIT)~~

65-74060-4750X

As the Bureau is aware, on or about 4/10/73, in the District of Columbia, JOHN W. DEAN, III, former Counsel to the President, advised AUSA [REDACTED] WDC, that E. HOWARD HUNT and GEORGE GORDON LIDDY had participated in an "entry" into the office of Dr. FRED FIELDING in 1971 at Los Angeles, California. FIELDING, at that time, was the psychiatrist to DANIEL ELLSBERG. REC-67

Subsequently, certain members of the White House staff were called before the Federal Grand Jury. MAY 17 1974 investigation ensued, followed by an indictment of the captioned individuals for Conspiracy to violate the Civil Rights of Dr. LEWIS FIELDING. EHRLICHMAN was also charged.

- 3- Bureau  
 (2- Watergate Unit)  
 (1- Intelligence Division)  
 1- Los Angeles (Info)  
 1- Miami (Info)  
 2- WFO

(1-139-166)

Approved: mrh

Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

U.S. Government Printing Office: 1972 - 455-474

MCS  
JUL 18 1974

MAY 31 1974

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2TAP/BJ

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b7C

1217

WFO 44-991

with violation of Title 18, Section 1001, U.S. Code and three counts of violation of Title 18, Section 1623, U.S. Code, making false declarations to a Federal Grand Jury.

On 3/9/74, EHRLICHMAN [REDACTED] entered not guilty pleas.

b6  
b7C

On 3/14/74, BARKER, [REDACTED] LIDDY and MARTINEZ also pled not guilty.

A trial date of 6/17/74, was set by Federal Judge GERHARD GESELL.

One copy of this communication is being directed to the Intelligence Division in view of their interest in this matter.

Inasmuch as WFO receives numerous requests to assist the WSPO in this case with pre-trial matters, requests received for information from other offices will be consolidated in this file.

WFO will follow prosecution of subjects in U.S. District Court, WDC.

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 16 1974

TELETYPE

NR006 WF PLAIN

250 PM URGENT MAY 16, 1974 FMK

TO: DIRECTOR, FBI

SAC MIAMI

FROM: SAC, WFO (44-991) (P) (2P)

JOHN D. EHRLICHMAN, ET AL.; CIVIL RIGHTS-CONSPIRACY; FALSE  
DECLARATIONS; ESP.

RE WFO AIRTEL TO BUREAU, MAY 15, 1974.

ASSISTANT WATERGATE SPECIAL PROSECUTOR NICK AKERMAN REQUESTED  
FBI TO DETERMINE LOCATION OF BANKING FACILITY UTILIZED BY [REDACTED]  
[REDACTED] MIAMI, FLORIDA. ONCE LOCATED, AGENTS ARE REQUESTED TO  
CONTACT BANK OFFICIALS TO DETERMINE IF RECORDS EXIST FOR  
PERIOD AUGUST AND SEPTEMBER, 1971. IF LOCATED, THESE RECORDS  
SHOULD BE EXAMINED AND INFORMATION CONTAINED THEREON FORWARDED  
TO WFO BY RETURN TELETYPE. AKERMAN ADVISED THERE IS NO NEED  
PRESENTLY TO REMOVE RECORDS FROM BANK.

AKERMAN REQUESTED SAME EXAMINATION FOR BANK ACCOUNT OF MAY 17 1974  
BERNARD L. BARKER, FIRST NATIONAL BANK OF MIAMI, 100 S. BISCAYNE  
BOULEVARD, MIAMI, FLORIDA, ACCOUNT NUMBER [REDACTED] (MIAMI SEE  
YOUR REPORT IN 139-328, PAGE 112, JUNE 28, 1972.

END PAGE ONE.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2TAP/26

Assoc. Dir. \_\_\_\_\_  
Dep.-A.D.-Adm. \_\_\_\_\_  
Dep.-A.D.-Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_  
Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Files & Com. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

b6  
b7C

MES 55 MAY 28 1974  
JUL 18 1974

PAGE TWO. (44-991)

THIRD REQUEST IS THAT FBI CONTACT JEFFERSON NATIONAL BANK,  
MIAMI BEACH, REGARDING CHECKING ACCOUNT OF EUGENIO MARTINEZ,  
ACCOUNT NUMBER 109-750-4.

IF A SUBPOENA IS REQUIRED TO MERELY EXAMINE THE ABOVE  
REQUESTED RECORDS FOR AUGUST AND SEPTEMBER, 1971, TELEPHONICALLY  
CONTACT WFO.

ABOVE INVESTIGATION BEING REQUESTED BY SPO IN PREPARING FOR  
TRIAL OF SUBJECTS, JUNE 17, 1974, IN WASHINGTON, D.C.  
END.

AMW FBIHQ

cc-51



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 23 1974

*TELETYPE*

NRO13 MM PLAIN

5:07 PM NITEL MAY 23, 1974 CLS

TO DIRECTOR

WASHINGTON FIELD 44-991

FROM MIAMI 44-2984 3P

JOHN D. EHRLICHMAN, ET AL; CIVIL RIGHTS - CONSPIRACY;  
FALSE DECLARATIONS; ESP. OO: WASHINGTON FIELD

RE WASHINGTON FIELD TELETYPES TO BUREAU, MAY 16, AND 22, 1974.

RE: BERNARD L. BARKER. ON MAY 23, 1974,

FIRST NATIONAL BANK OF MIAMI,

100 SOUTH BISCAYNE BOULEVARD, MIAMI, FLORIDA, MADE

AVAILABLE COPIES OF BANK STATEMENTS, CHECKS AND DEPOSIT  
SLIPS PERTAINING TO ACTIVE ACCOUNT NUMBER (NOT

AS LISTED IN RETEL) FOR PERIOD AUGUST AND

SEPTEMBER, 1971, WHICH COPIES WERE PRODUCED FROM MICROFILM

RECORDS. ACCOUNT NUMBER IS UNDER NAMES OF B. L.

BARKER

MIAMI. BANK STATEMENTS REFLECT BALANCES OF \$2,262.23 AS  
OF AUGUST 2, 1971, AND \$3,708.77 AS OF SEPTEMBER 30, 1971.

END PAGE ONE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2 TAP/hj

Assoc. Dir. \_\_\_\_\_  
Dep.-A.D.-Adm. \_\_\_\_\_  
Dep.-A.D.-Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_  
Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Files & Com. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_

b6  
b7C

*may 3*  
*W*

REC-6

*60483 H*  
*65-44060-4750X3*

MAY 29 1974

JUN 7 1974

JUL 18 1974

PAGE TWO

DEPOSITIS AND OTHER CREDIT ITEMS APPEARING ON BANK STATEMENTS FOR PERTINENT PERIOD CONSIST OF 12 DEPOSITS WHICH INCLUDE \$1,900.00, \$1,400.00, AND \$1,300.00, MADE ON AUGUST 24, 1971, SEPTEMBER 2, 1971, AND SEPTEMBER 9, 1971, RESPECTIVELY. CHECKS AND OTHER DEBIT ITEMS RECORDED ON BANK STATEMENTS FOR PERTINENT PERIOD APPEAR TO BE NORMAL JOINT ACCOUNT HOUSEHOLD DISBURSEMENTS WITH POSSIBLE EXCEPTION OF ONE ITEM CONSISTING OF CHECK NUMBER [ ] IN AMOUNT OF \$1,900.00, DATED AUGUST 5, 1971, PAYABLE TO [ ] ATTORNEY, AND SIGNED B. L. BARKER. CHECK BEARS HANDWRITTEN ENDORSEMENT "FOR DEPOSIT ONLY, IN TRUST ACCT. OF [ ] ON SALE, LESNICK - BARKER." ALSO BEARS STAMPED ENDORSEMENT "FOR DEPOSIT ONLY - [ ] TRUST [ ]" CHECK ALSO BEARS STAMPED BANK ENDORSEMENT OF MERCANTILE NATIONAL BANK OF MIAMI BEACH, MIAMI BEACH, FLORIDA.

b6  
b7c

RE EUGENIO MARTINEZ. EXECUTIVE PERSONNEL OF JEFFERSON NATIONAL BANK OF MIAMI BEACH, ADVISED ACCOUNT NUMBER 109-750-4 FOR EUGENIO MARTINEZ WAS OPENED JUNE 13, 1972, AND CLOSED DECEMBER 5, 1973, WHICH IS NOT WITHIN PERIOD OF AUGUST AND SEPTEMBER, 1971, REQUESTED IN RETEL. HOWEVER, JEFFERSON  
END PAGE TWO



MM 44-2984

PAGE THREE

PERSONNEL ADVISED MARTINEZ HAD ANOTHER ACCOUNT ACTIVE DURING PERTINENT PERIOD AND THEY ARE PRESENTLY OBTAINING COPIES OF ACCOUNT TRANSACTIONS FROM MICROFILM RECORDS, WHICH SHOULD BE AVAILABLE FOR REVIEW ON OR ABOUT MAY 24, 1971. MIAMI WILL REVIEW RECORDS RE MARTINEZ ACCOUNT WHEN AVAILABLE AND SUTEL BUREAU AND WASHINGTON FIELD.

END

PLS HOLD TKS